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Proposed programme budget for the biennium 2008-2009

Oceans and the law of the sea

Oceans and the law of the sea

Programme budget implications of draft resolution A/62/L.27

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 26, 45, 46, 47 and 49 of draft resolution A/62/L.27, the General Assembly would:

(a) Request the Secretary-General to convene a special Meeting of States Parties to the Convention on the Law of the Sea in New York on 30 January 2008 to fill a vacancy that has occurred following the resignation of one of the members of the International Tribunal for the Law of the Sea and to convene the eighteenth Meeting of States Parties to the Convention in New York from 13 to 20 June 2008 and to provide the services required;

(b) Take note with concern of the information provided by the Division for Ocean Affairs and the Law of the Sea regarding the current level of staffing, as well as inadequate hardware and software available to it which are required to support the Commission on the Limits of the Continental Shelf in the fulfilment of its functions;

(c) Endorse in this regard the request by the Meeting of States Parties to the Convention to the Secretary-General to take timely measures, before the twenty-first session of the Commission, to strengthen the capacity of the Division, serving as the secretariat of the Commission, within overall existing resource levels, in order to ensure enhanced support and assistance to the Commission and its subcommissions, in their consideration of submissions, as required by paragraph 9 of annex III to the rules of procedure of the Commission;

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(d) Urge the Secretary-General to continue to take all necessary actions to ensure that the Commission can fulfil the functions entrusted to it under the Convention;

(e) Approve the convening by the Secretary-General of the twenty-first and twenty-second sessions of the Commission in New York from 17 March to 18 April 2008 and from 11 August to 12 September 2008, respectively, on the understanding that the following periods will be used for the technical examination of submissions at the Geographic Information System (GIS) laboratories and other technical facilities of the Division: 17 to 28 March; 14 to 18 April; 11 to 15 August; and 2 to 12 September 2008.

II. Relationship of the requests to the programme of work for the biennium 2008-2009

2. The requests contained in operative paragraphs 45, 46 and 47 of the draft resolution relate to (a) subprogramme 4, Law of the sea and ocean affairs, of programme 6, Legal affairs, of the biennial programme plan and priorities for the biennium 2008-2009[1] and (b) section 8, Legal affairs, of the proposed programme budget for the biennium 2008-2009 (A/62/6 (Sect. 8) and Corr.1). There would not be any modifications to the programme of work.

3. The provisions of operative paragraph 49 of draft resolution A/62/L.27 relate to (a) programme 1, General Assembly and Economic and Social Council affairs and conference management, and subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan and priorities for the period 2008-2009; and (b) section 2, General Assembly and Economic and Social Council affairs and conference management (A/62/6 (Sect. 2)), and section 28D, Office of Central Support Services (A/62/6 (Sect. 28D)) of the proposed programme budget for the biennium 2008-2009.

III. Activities by which the requests would be implemented

4. The activities required for the implementation of the requests under operative paragraphs 45, 46, and 47 of draft resolution A/62/L.27 would entail strengthening the capacity of the Division for Ocean Affairs and the Law of the Sea to service the Commission on the Limits of the Continental Shelf through the reinforcement of the GIS laboratory services. In this regard, the required hardware and licensed software tools and related training would be acquired in order to provide the GIS support needed by the Commission for the expeditious examination of submissions relating to the outer limits of the extended continental shelf beyond 200 nautical miles, as well as for the related recommendations.

5. Under the provisions of paragraph 26 of the draft resolution, the General Assembly would request the Secretary-General to convene a special Meeting of States Parties to the Convention in New York on 30 January 2008 to fill a vacancy that has occurred following the resignation of one of the members of the Tribunal and to convene the eighteenth Meeting of States Parties to the Convention in New

[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 6* (A/61/6/Rev.1).

York from 13 to 20 June 2008 and to provide the services required. As concerns the convening of a special Meeting of States Parties to the Convention in New York on 30 January 2008 to fill a vacancy, it should be noted that such a meeting has already been planned in accordance with article 4 of the rules of procedure for meetings of States parties.

6. With regard to operative paragraph 49 of the draft resolution, the Commission on the Limits of the Continental Shelf would have two weeks of plenary meetings per session in 2008, from 31 March to 11 April and from 18 to 29 August. However, it should be noted that the calendar of conferences and meetings for 2008 has provided for only one week of meetings per session of the Commission, from 31 March to 4 April and from 18 to 22 August.

7. As concerns the provision requesting the Secretary-General to convene the eighteenth Meeting of States Parties to the Convention in New York for six days, from 13 to 20 June 2008, it should be noted that the calendar of conferences and meetings provides for two weeks of meetings for such a meeting, in accordance with existing entitlements. Therefore, the remaining four days could be used to partially offset the increase in the meetings of the Commission on the Limits of the Continental Shelf for 2008 referred to in paragraph 49 of the draft resolution.

8. In view of the foregoing, should draft resolution A/62/L.27 be adopted, the net result for the 2008 calendar of meetings and conferences would be 12 additional meetings for the two extended sessions of the Commission on the Limits of the Continental Shelf with interpretation in the six official languages. There would be no additional documentation.

IV. Estimated resource requirements

9. The estimated requirements in connection with the enhancement of the GIS laboratory services pursuant to operative paragraphs 45, 46 and 47 of draft resolution A/62/L.27 would amount to $1,962,100 under section 8, Legal affairs. These resources would cover contractual services in the amount of $1,736,600, including (a) a one-time provision for the acquisition of licensed software ($1,241,600); (b) data-processing services ($302,600); and related training ($192,000). A provision of $225,900 is also included for the related support for data-processing infrastructure.

10. The conference-servicing requirements, at full cost, for the three-day extension of the twenty-first and twenty-second sessions of the Commission, pursuant to operative paragraph 49 of the draft resolution, would amount to $174,300 under section 2, General Assembly and Economic and Social Council affairs and conference management ($143,100), and section 28D, Office of Central Support Services ($31,200), of the proposed programme budget for the biennium 2008-2009.

11. The additional resource requirements for each of the sections of the proposed programme budget for the biennium 2008-2009 in connection with the implementation of paragraphs 45, 46, 47 and 49 of draft resolution A/62/L.27 are set out in the table.

Additional resource requirements arising from the adoption of draft resolution A/62/L.27

(Thousands of United States dollars)

Budget section	*2008-2009 estimates*
2. General Assembly and Economic and Social Council affairs and conference management	143.1
8. Legal affairs	1 962.1
28D. Office of Central Support Services	32.2
Total	**2 136.4**

V. Potential for absorption

12. No provision has been made under the proposed programme budget for the biennium 2008-2009 in relation to the activities that would be approved under operative paragraphs 26, 45, 46, 47 and 49 of draft resolution A/62/L.27. At the current stage it is not possible to identify activities within the relevant sections of the proposed programme budget for the biennium 2008-2009 that could be terminated, deferred, curtailed or modified during the biennium. It would therefore be necessary for additional resources to be provided through an additional appropriation.

13. However, efforts would be made to meet the additional requirements under section 2 ($143,100) and section 28D ($31,200) within the provisions of the proposed programme budget for the biennium 2008-2009 under those sections.

VI. Contingency fund

14. It will be recalled that under the procedure established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the approved or proposed programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VII. Action required of the General Assembly

15. **Accordingly, should the General Assembly adopt draft resolution A/62/L.27, additional requirements amounting to $1,962,100 would be required under section 8, Legal affairs, of the programme budget for the biennium 2008-2009. This would represent a charge against the contingency fund.**